

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

RUTH HOFFMAN,

Plaintiff,

vs.

PROGRESSIVE CASUALTY INSURANCE
COMPANY; JIMMY DEAN LAYSON and
DOES A-Z,

Defendants.

CV-05-78-BU-CSO

ORDER

Pending before the Court is Montana Department of Labor & Industry, Unemployment Insurance Division's ("UID") Motion to Quash Subpoena Duces Tecum. See Court's Doc. No. 38.¹ In its motion, UID moves the Court to quash the subpoena duces tecum issued by Defendant Progressive Casualty Insurance Company ("Progressive"). UID is not a party in this action.

Pursuant to Rule 45(c)(3)(A)(iii) of the Federal Rules of Civil Procedure, UID objects to disclosing information sought by Progressive's subpoena because the materials sought are confidential and protected by federal and state law. *UID's Brief in Support* at 2. No response brief was filed by Progressive.

¹ The motion does not comply with L.R. 10.1(a), which requires double-spacing. This rule is designed to preserve the eyesight of those who read many motions and briefs, and the Court appreciates compliance with this as well as other local rules.

Accordingly, pursuant to L.R. 7.1(i) the Court deems UID's motion well taken.

Based on the foregoing, IT IS HEREBY ORDERED that:

(1) UID's motion to quash (*Court's Doc. No. 38*) is **GRANTED**.

The subpoena duces tecum issued by Progressive and received on November 13, 2006, by Roy Mulvaney on behalf of UID is hereby **QUASHED**.

(2) The Clerk shall immediately notify UID of the making of this Order. The contact information for UID is:

Joseph Nevin
Montana Department of Labor and Industry
P.O. Box 1728
Helena, Montana 59624-1728

DATED this 8th day of December, 2006.

/s/ Carolyn S. Ostby
Carolyn S. Ostby
United States Magistrate Judge